

THE HONORABLE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHEEBA B. ORIKO,

Plaintiff,

v.

STARBUCKS CORPORATION, a
Washington corporation; and HEATHER
SCHMIDT,

Defendants.

No. C07-5230 FDB

DECLARATION OF KARI ESCOBEDO IN
SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT

I, Kari Escobedo, declare and state as follows:

1. I am over the age of 18 years and have personal knowledge of and am competent to testify to the matters contained in this declaration.

2. I am currently employed at Starbucks as a Director of Information Management Services. I held this position as well during the period from June 2005 through April 2006.

3. I met Sheeba B. Oriko at the end of 2005 after she was assigned to the SSC Displacement Project and the Management Security Service Project (MSSP). I served as a business sponsor for both Projects. In this role, I had periodic, but regular contact with Ms. Oriko. At the start of our work together, I had positive interactions with Ms. Oriko. Issues with her performance began to emerge, however, soon after she came aboard.

DECL. OF KARI ESCOBEDO IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT (NO. C07-5230 FDB) – 1

18177-0180/LEGAL14311186.1

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 4. I found Ms. Oriko to be argumentative, disruptive, non-collaborative, non-
2 teaming, defensive, and even hostile in her interactions with me and other customers. This
3 approach, needless to say, was disruptive and nonproductive. In addition, I soon found that
4 myself and others were doing most of *her* work. I eventually brought Ms. Oriko's performance
5 issues to the attention of my direct supervisor, Elizabeth King. Ms. King advised me to give the
6 feedback to Ms. Oriko's supervisor, which I did. On January 26, 2006, I contacted Ms. Schmidt
7 to report my concern about plaintiff's defensive and non-collaborative communication style,
8 resistance to feedback, and her lack of engagement as demonstrated by her trying to do as little
9 work as possible.
10

11 5. In early February 2006, Ms. Oriko assumed responsibility for preparing a
12 presentation and co-presenting on specified topics at a kick-off meeting of the SSC Displacement
13 Project, a critical meeting that was scheduled for February 9, 2006. Several days before the
14 meeting, a project sponsor, Lisa Fryc, asked Ms. Oriko to provide a draft of the presentation.
15 Ms. Oriko provided Ms. Fryc with a blank template. When Ms. Oriko failed to provide a
16 complete draft after additional requests by Ms. Fryc, I alerted Ms. Oriko and her new supervisor,
17 Mark Blair, that we were expecting Ms. Oriko to provide an actual draft of the presentation. A
18 true and correct copy of my February 7, 2006 email to Ms. Oriko and Mr. Blair is attached as
19 Exhibit A. I also advised Mr. Blair by separate email that Ms. Oriko appeared to be ignoring Ms.
20 Fryc. A true and correct copy of my February 7, 2006 email to Mr. Blair is attached as
21 Exhibit B.
22

23 6. Because we had never received any draft from Ms. Oriko, Ms. Fryc and I were
24 forced to prepare the presentation for Ms. Oriko (despite the fact that this was one of her
25 responsibilities). Neither Ms. Fryc nor I received any response from plaintiff until 7:09 a.m. the
26 following morning, on the day of the kick-off meeting, advising us that the presentation we had
27 been forced to prepare looked "great" and that we should "go with it." A true and correct copy of
28 my February 9, 2006, 1:03 a.m. email responding to Mr. Blair's email asking whether Ms. Fryc
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1 my February 9, 2006, 1:03 a.m. email responding to Mr. Blair's email asking whether Ms. Fryc
2 or I had ever heard from Ms. Oriko is attached as Exhibit C. A true and correct copy of Ms.
3 Oriko's February 9, 2006, 7:09 a.m. email to Ms. Fryc, Mr. Blair and me is attached as
4 Exhibit D.
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9 6. Ms. Oriko's performance grew worse over time. She continued to produce late
10 and incomplete deliverables, arrive late to meetings, and approach important presentations
11 without little preparation or care. My frustration continued to grow, as did the frustration of the
12 Project team members who found themselves often working around Ms. Oriko to get their work
13 done. The situation peaked when Ms. Oriko performed so poorly at a steering committee
14 meeting that Ms. King walked out before the meeting was over. This was the last straw, and Ms.
15 King and I insisted to Ms. Schmidt that Ms. Oriko be removed from our projects immediately.
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25 I declare under penalty of perjury under the laws of the State of Washington that the
26 foregoing is true and correct.
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29 DATED: June 11, 2008.

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KARI ESCOBEDO

CERTIFICATE OF SERVICE

On June 12, 2008, I caused to be served upon the party of record, at the address stated below, via the method of service indicated, a true and correct copy of:

**DECLARATION OF KARI ESCOBEDO IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Ms. Sheeba Oriko	<u>X</u>	Via hand delivery
3901 SE 154th Ct.	—	Via U.S. Mail, 1st Class
Vancouver, WA 98683-5355	—	Via Overnight Delivery
	—	Via Facsimile
Plaintiff <i>Pro Se</i>	<u>X</u>	Via eFiling with CM/ECF
	<u>X</u>	Via Electronic Mail (soriko98@gmail.com)

I certify under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED: June 12, 2008

s/ Kevin J. Hamilton

Kevin J. Hamilton, WSBA No. 15648

KHamilton@perkinscoie.com

Vickie L. Wallen, WSBA No. 20872

VWallen@perkinscoie.com

Perkins Coie LLP

1201 Third Avenue, Suite 4800

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

Attorneys for Defendants
Starbucks Corporation and Heather Schmidt

DECL. OF KARI ESCOBEDO IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT (NO. C07-5230 FDB) – 4

18177-0180/LEGAL14311186.1

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

From: Lisa Fryc
Sent: Tuesday, February 07, 2006 11:31 AM
To: Sheeba Oriko; Mark Blair
CC: Kari Escobedo
Subject: RE: Agenda for the Kick off meeting

Sheeba, Mark,

It is important that Kari and I have time to review this presentation at least a day ahead of the meeting. I was expecting the draft last Friday and now we are less than 2 days away from the kickoff. We would really appreciate it if we could get the filled out draft presentation by the end of today so we can review it tomorrow and provide feedback. Please let me know asap if this is not going to be possible.

Thanks, Lisa

-----Original Message-----

From: Lisa Fryc
Sent: Tuesday, February 07, 2006 11:04 AM
To: Sheeba Oriko
Cc: Mark Blair
Subject: RE: Agenda for the Kick off meeting

Sheeba,

This is blank. I want to review the presentation when you have it filled out before the meeting. When will that be?

Lisa

-----Original Message-----

From: Sheeba Oriko
Sent: Monday, February 06, 2006 2:32 PM
To: Lisa Fryc
Cc: Mark Blair
Subject: RE: Agenda for the Kick off meeting

Hi Lisa,

Here is the PowerPoint that you asked for. Keep in mind that this is a draft/Outline. Mark and I will be going over the presentation Wednesday afternoon. You have slides 4 _5 if you want to provide content. Just be sure to get the content to me by Tuesday 5:00 pm so I can incorporate into the main slide on Wednesday.

Thanks Lisa .Let me know if you have questions/suggestions

Sheeba

Sheeba B. Oriko, Senior PM

Starbucks Coffee Company

IT Project Management Services

Decl. of K. Escobedo-5

EXHIBIT A

SBX00683

(206) 318-7872 Desk | (206) 484-6778 Cell

<mailto:Soriko@starbucks.com> Soriko@starbucks.com

-----Original Message-----

From: Lisa Fryc
Sent: Monday, February 06, 2006 2:14 PM
To: Sheeba Oriko
Cc: Mark Blair
Subject: RE: Agenda for the Kick off meeting

thanks Sheeba, can you send me the draft of the presentation? That is what I wanted to see.

-----Original Message-----

From: Sheeba Oriko
Sent: Monday, February 06, 2006 2:04 PM
To: Lisa Fryc
Cc: Mark Blair
Subject: Agenda for the Kick off meeting

Hi Lisa

Here is the agenda for the Kick off meeting. We use a standard process for a kick off meeting as outlined below.

- * Introduction - Sheeba/Lisa
- * Meeting purpose _expected outcome - Sheeba
- * Review Business Objectives - Lisa/Kari This should be 1 page summary slide
- * Project Charter - Lisa this should be a summary and an in/out of scope slide
- * Roles _Responsibilities - Sheeba/Lisa
- * Team Norms/Contact List - Sheeba
- * Issues Escalation Process - Sheeba
- * Communication Process - Sheeba
- * Action Items - Sheeba
- * Next Steps - Sheeba
- * Conclusion - Elizabeth/Kari

Would you like to summarize the objectives and charter? Let me know

Sheeba

Sheeba B. Oriko, Senior PM
Starbucks Coffee Company
IT Project Management Services
(206) 318-7872 Desk | (206) 484-6778 Cell
<mailto:Soriko@starbucks.com> Soriko@starbucks.com

-----Original Message-----

From: Lisa Fryc
Sent: Monday, February 06, 2006 8:56 AM
To: Sheeba Oriko
Subject: RE: SSC Displacement Solution Project (102979) Status update as of Feb 3rd

Sheeba,

Do you have a draft of the kickoff presentation for me to look at?

Thanks, Lisa

-----Original Message-----

From: Sheeba Oriko
Sent: Friday, February 03, 2006 4:45 PM
To: Elizabeth King; Kari Escobedo; Chris Schultz; James Snook; Doug Wales; Michael Hall; Jim Morgan; Norma Miller; Fred Blush; Bill Peterson; Phil Hummel; Todd House; Barbara Stanton; MaryLou Blakely; Kristen Hartwigsen; Van VanBenschoten; Jay Phillips; Randy Raisor; Beryl Martin
Cc: Lisa Fryc; Chris Rotell; Van VanBenschoten; Cheryl Clark; Chris Boyle; Chad Luckner; Penni Peotter; Sheeba Oriko; Mark Blair
Subject: RE: SSC Displacement Solution Project (102979) Status update as of Feb 3rd

Partners,

The SSC Displacement Solution Project (102979) progress update for the week ending Feb 3rd is as follows:

Summary

Our focus this week was on completing business requirements and in starting IT requirements solicitation. We have several solicitation sessions scheduled over the next few weeks and are planning a formal kick off on Thursday Feb 9th.

At this time, we have all subject matter experts on the business side assigned, all of the IT resources have also been allocated except End User Presentation and Windows Server resources. We plan to follow up early next week with the appropriate managers.

Decl. of K. Escobedo-7

SBX00685

Progress Update

- * Project Charter - Complete
- * Business resource assignment - Complete
- * Business requirements gathering - In Progress
- * Requirements Training for key resources - In progress
- * Project Plan - IN PROGRESS

Activities for Next Period

- * Project Kickoff
- * IT Resources Assigned
- * IT Requirements Kickoff
- * Business Requirements: confirmation of scope, assumptions and risk.
- * IT Requirements: Capacity _Capability - working sessions.

I can be reached at x8-7872 or by email should you have any questions on need clarification.

Thanks!

Sheeba

Sheeba B. Oriko, Senior PM

Starbucks Coffee Company

IT Project Management Services

{206} 318-7872 Desk | (206) 484-6778 Cell

<mailto:Soriko@starbucks.com> Soriko@starbucks.com

From: Mark Blair
Sent: Tuesday, February 07, 2006 01:52 PM
To: Kari Escobedo
Subject: RE: Agenda for the Kick off meeting
Attachments: image001.jpg

Thanks for the note, Kari. I am documenting all of these kinds of issues.

I'll be interested in hearing your comments in the morning.

Mark Blair

IT-Project Management Services

Starbucks Support Center

206-318-7281

mark.blair@starbucks.com

Life isn't about finding yourself. Life is about creating yourself.

-----Original Message-----

From: Kari Escobedo
Sent: Tuesday, February 07, 2006 11:33 AM
To: Mark Blair
Subject: FW: Agenda for the Kick off meeting

FYI... this is the second time Lisa has asked Sheeba for the draft of the presentation and she keeps putting her off... we are anxious to review it before the kick-off meeting on Thursday... since at the core team meeting when we reviewed it she had not updated it since Malia created it back in early Jan... and you saw how out of date it was!

Lisa also mentioned that Sheeba's timeliness to meetings has not changed and she is consistently 10-20 min late to meetings

Anyway we can talk more tomorrow...

Thanks

Kari

Kari Escobedo

director, business systems

Information Management Services

EXHIBIT B

kari.escobedo@starbucks.com <mailto:kescobed@starbucks.com>

206-318-8329

-----Original Message-----

From: Lisa Fryc
Sent: Tuesday, February 07, 2006 11:05 AM
To: Kari Escobedo
Subject: FW: Agenda for the Kick off meeting

she is killing me. It's like pulling teeth!

-----Original Message-----

From: Lisa Fryc
Sent: Tuesday, February 07, 2006 11:04 AM
To: Sheeba Oriko
Cc: Mark Blair
Subject: RE: Agenda for the Kick off meeting

Sheeba,

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Thanks Lisa .Let me know if you have questions/suggestions

Sheeba

Sheeba B. Oriko, Senior PM

Starbucks Coffee Company

IT Project Management Services

(206) 318-7872 Desk | (206) 484-6778 Cell

<mailto:Soriko@starbucks.com> Soriko@starbucks.com

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To: Sheeba Oriko

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- * Communication Process - Sheeba
- * Action Items - Sheeba
- * Next Steps - Sheeba
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Would you like to summarize the objectives and charter? Let me know

Sheeba

Sheeba B. Oriko, Senior PM

Starbucks Coffee Company

IT Project Management Services

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<mailto:Soriko@starbucks.com> Soriko@starbucks.com

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Cc: Lisa Fryc; Chris Rotell; Van VanBenschoten; Cheryl Clark; Chris Boyle; Chad Luckner; Penni Peotter; Sheeba Oriko; Mark Blair

Subject: RE: SSC Displacement Solution Project (102979) Status update as of Feb 3rd

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- * Business Requirements: confirmation of scope, assumptions and risk.
- * IT Requirements: Capacity _Capability - working sessions.

I can be reached at x8-7872 or by email should you have any questions on need clarification.

Thanks!

Sheeba

Sheeba B. Oriko, Senior PM

Starbucks Coffee Company

IT Project Management Services

(206) 318-7872 Desk | (206) 484-6778 Cell

<mailto:Soriko@starbucks.com> Soriko@starbucks.com

From: Kari Escobedo
Sent: Thursday, February 09, 2006 01:03 AM
To: Mark Blair; Lisa Fryc
Subject: RE: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

de nada!

-----Original Message-----

From: Mark Blair
Sent: Wed 2/8/2006 5:02 PM
To: Kari Escobedo; Lisa Fryc
Cc:
Subject: RE: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

Thanks, all!

Mark Blair

IT-Project Management Services

...

Starbucks Support Center

206-318-7281

mark.blair@starbucks.com

Life isn't about finding yourself. Life is about creating yourself.

-----Original Message-----

From: Kari Escobedo
Sent: Wednesday, February 08, 2006 5:00 PM
To: Lisa Fryc; Mark Blair
Subject: RE: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

me either...

-----Original Message-----

From: Lisa Fryc
Sent: Wed 2/8/2006 4:52 PM
To: Mark Blair; Kari Escobedo
Cc:
Subject: RE: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

I have not.

-----Original Message-----

From: Mark Blair
Sent: Wednesday, February 08, 2006 4:49 PM
To: Kari Escobedo; Lisa Fryc
Subject: RE: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

Have either of you gotten a response from Sheeba on any of your notes today regarding reworking the presentation?

Mark Blair
IT-Project Management Services
Starbucks Support Center
206-318-7281
mark.blair@starbucks.com

Life isn't about finding yourself. Life is about creating yourself.

-----Original Message-----

From: Kari Escobedo
Sent: Wednesday, February 08, 2006 4:39 PM
To: Lisa Fryc; Sheeba Oriko; Mark Blair
Subject: RE: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

This looks great Lisa...and thanks for splitting everything up too

-----Original Message-----

From: Lisa Fryc [mailto:lfryc@starbucks.com]
Sent: Wed Feb 08 16:28:53 2006
To: Sheeba Oriko; Mark Blair; Kari Escobedo
Subject: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

Sheeba,

Here is the presentation for tomorrow's SSC Displacement Kickoff. We have split the slides as follows -

Slides 1 thru 10 - presented by Lisa
Slides 11 and 12 - presented by Kari
Slides 13 thru 16 - presented by Sheeba

Please let Kari and I know if you have any concerns or questions about your slides. I will bring copies for everyone.

Thanks, Lisa

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From: Sheeba Oriko
Sent: Thursday, February 09, 2006 07:09 AM
To: Lisa Fryc; Mark Blair; Kari Escobedo
Subject: RE: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

This looks good. I say we go with go it.

Sheeba

Sheeba B. Oriko, Senior PM
Starbucks Coffee Company
IT Project Management Services
(206) 318-7872 Desk | (206) 484-6778 Cell
<mailto:Soriko@starbucks.com> Soriko@starbucks.com

-----Original Message-----

From: Lisa Fryc
Sent: Wednesday, February 08, 2006 4:29 PM
To: Sheeba Oriko; Mark Blair; Kari Escobedo
Subject: SSC Displacement Solution Kickoff - DRAFT Lisa.ppt

Sheeba,

Here is the presentation for tomorrow's SSC Displacement Kickoff. We have split the slides as follows -

Slides 1 thru 10 - presented by Lisa

Slides 11 and 12 - presented by Kari

Slides 13 thru 16 - presented by Sheeba

Please let Kari and I know if you have any concerns or questions about your slides. I will bring copies for everyone.

Thanks, Lisa

EXHIBIT D

Decl. of K. Escobedo-16

SBX00658